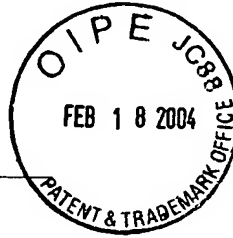


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On February 13, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Aaron Tokumura

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FINN and MacLACHLAN

Application No.: 10/688,299

Filed: October 16, 2003

For: AUTOGENE NUCLEIC ACIDS
ENCODING A SECRETABLE RNA
POLYMERASE

Examiner: Not yet assigned

Art Unit: Not yet assigned

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

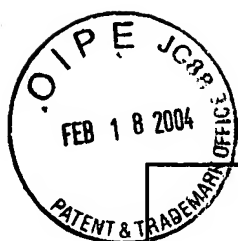
However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Carol A. Fang
Reg. No. 48,631

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
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CAF:ath
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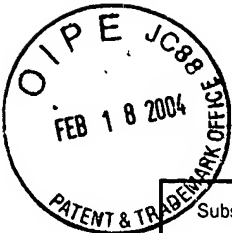


TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/688,299
		Filing Date	October 16, 2003
		First Named Inventor	Finn, John
		Art Unit	Not yet assigned
		Examiner Name	Not yet assigned
Total Number of Pages in This Submission		Attorney Docket Number	020801-000320US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> Return Postcard Cited References AA - AK
	Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual	Townsend and Townsend and Crew LLP Carol A. Fang	Reg. No. 48,631
Signature		
Date	2/13/04	

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Signature		Date	02/13/04



INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Substitute for form 1449A/PTO		
			Complete if Known		
			Application Number	10/688,299	
			Filing Date	October 16, 2003	
			First Named Inventor	Finn, John	
			Art Unit	Not yet assigned	
Examiner Name	Not yet assigned				
Sheet	1	of	2	Attorney Docket Number	020801-000320US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	AA	WO	97/41243	A2	11/06/1997	University of Pittsburgh		<input type="checkbox"/>
	AB	WO	00/58488	A2, A3	10/05/2000	Invitrogen Corporation		<input type="checkbox"/>
	AC	WO	01/15511	A2	03/08/2001	University of Pittsburgh of the Commonwealth System of Higher Education		<input type="checkbox"/>

Examiner Signature		Date Considered	
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			Application Number	10/688,299	
			Filing Date	October 16, 2003	
			First Named Inventor	Finn, John	
			Art Unit	Not yet assigned	
			Examiner Name	Not yet assigned	
Sheet	2	of	2	Attorney Docket Number	020801-000320US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AD	BENNETT, R.P. and Dalby, B.; "Protein delivery using VP22"; <u>Nature Biotechnology</u> ; January 2002; p. 20; Vol. 20.	
	AE	BRISSON, M. et al.; "A novel T7 RNA polymerase autogene for efficient cytoplasmic expression of target genes"; <u>Gene Therapy</u> ; 1999; pp. 263-270; Vol. 6.	
	AF	CHEN, X. et al.; "A self-initiating eukaryotic transient gene expression system based on cotransfection of bacteriophage T7 RNA polymerase and DNA vectors containing an T7 autophage"; <u>Nucleic Acids Research</u> ; 1994; pp. 2114-2120; Vol. 22, No. 11.	
	AG	DEROSSI et al.; "Trojan peptides: the penetratin system for intracellular delivery"; <u>Trends in Cell Biology</u> ; 1998; pp. 84-87; Vol. 8, No. 2.	
	AH	ELROY-STEIN et al.; "Cytoplasmic expression system based on constitutive synthesis of bacteriophage T7 RNA polymerase in mammalian cells"; <u>Proc. Natl. Acad. Sci. U.S.A.</u> ; 1990; pp. 6743-6747; Vol. 87, No. 17	
	AI	FINN, J. et al.; "The development and comparison of three cytoplasmic expression systems based on the T7, T3 and SP6 phage RNA polymerase proteins"; <u>ASGT Fourth Annual Meeting</u> ; May 30-June 3, 2001; Seattle, Washington.	
	AJ	GAO, X. and Huang, L.; "Cytoplasmic expression of a reporter gene by co-delivery of T7 RNA polymerase and T7 promoter sequence with cationic liposomes"; <u>Nucleic Acids Research</u> ; 1993; pp. 2867-2872; Vol. 21, No. 12.	
	AK	LINDGREN et al.; "Cell-penetrating peptides"; <u>Trends in Pharmacological Sciences</u> ; 2000; pp. 99-103; Vol. 21, No. 3	

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